



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश राज्यशासन द्वारा प्रकाशित

शिमला, शनिवार, 6 जून, 1964/16 ज्येष्ठ, 1886

GOVERNMENT OF HIMACHAL PRADESH HOME DEPARTMENT

NOTIFICATION

Simla-4, the 6th June, 1964

No. 9-10/64-Home.—Whereas the District Judge, Mahasu and Sirmur district, passed an order in the case Shri Amar Singh and another *Versus* Jathedar Harbhajan Singh and others on 21-5-64, appointing Shri Kashmir Singh (Revenue Assistant) as Receiver of the Gurdwara Paonta Sahib and the immovable and the movable property attached thereto, and directed that the Receiver should take possession of the property in execution of the order of the District Judge;

Whereas in pursuance of the said order of the District Judge, Shri Kashmir Singh (Revenue Assistant) Receiver, went to the Gurdwara Poanta Sahib on 22-5-64 to execute the order of the Court;

Whereas on arrival at the Gurdwara Paonta Sahib, it was found that the Gurdwara Paonta Sahib was occupied by a large number of Nihangs;

Whereas these Nihangs, were asked by Shri Kashmir Singh (Revenue Assistant) Receiver, to hand over the possession of the property pertaining to the Gurdwara Paonta Sahib, and it was made clear to them that it was being done in execution of the order of the District Judge, Mahasu and Sirmur district, and the contents of the order were explained to them;

Whereas the Nihangs, who were in occupation and possession of the property of the Gurdwara aforesaid, resisted the execution of the order of the Court, and the Receiver sought the assistance of the police under orders of the District Judge;

Whereas during the course of the incident, certain acts of breach of peace were committed, and the Magistrate and the police in attendance resorted to firing;

Whereas after this incident of firing, it has been alleged that the firing was unjustified, and a judicial enquiry has been demanded;

Whereas the Lieutenant Governor, Himachal Pradesh, is of the opinion that it is necessary to appoint a Commission of Enquiry for the purpose of making an enquiry into certain definite matters of public importance;

Now, therefore, the Lieutenant Governor, Himachal Pradesh, in exercise of the powers vested in him under section 3(1) of the Commission of Enquiry Act, 1952, read with the Government of India, Ministry of Home Affairs, notification No. F. 2/6/64-UTL, dated the 30th May, 1964, is pleased to appoint Shri Om Parkash, Judicial Commissioner, Himachal Pradesh, as the Commission of Enquiry and to require him to enquire into and report on the following matters in relation to this firing incident that took place at Gurdwara Poanta Sahib, within three months of the date of this notification:—

- (a) Facts and circumstances culminating in this firing incident, and whether there was any justification for such firing.
- (b) The quantum of force applied by police, and whether the same was justified during the course of the incident.
- (c) Whether any acts sacrilegious in nature were committed in relation to the Gurdwara Paonta Sahib during this incident, and were such acts justified to be performed ?
- (d) The extent of human casualties, dead or injured, on both sides, and damage to property caused during the course of this incident.

By order,
T. S. NEGI,
Chief Secretary.